

## 9 What is a Covenant?<sup>1</sup>

The relationship between Yahweh and Israel involves a covenant (*berit*). What does that mean? A covenant is a solemn formal commitment made by one party to another party, or by two parties to one another; its seriousness is normally undergirded by an oath and/or rite undertaken before God and/or before other people. A covenant is thus a little like a contract, but the commitment is moral, not legal. It lacks the legal framework and protection of a contract; we do not usually think of suing someone for failing to keep a covenant. A covenant involves something more like a personal relationship, but no ordinary relationship: it presupposes a level of commitment not required of most relationships, and it involves a formalizing of that commitment that shows we really mean it.

In British English a covenant can be two-sided or mainly one-sided. Marriage is a two-sided covenant; a commitment to giving a certain amount of money to a charity is a one-sided covenant. American English uses the word “pledge” for the latter, and thus the word “covenant” refers more exclusively to mutual commitments. This keeps closer to the etymology of the English word “covenant,” which suggests a coming together or an agreement. American English thus compares (though a little paradoxically) with the Greek of the Septuagint and the New Testament, which prefers the word *diatheke* to the regular Greek *syntheke*. The latter could perhaps suggest too mutual, too contractual an understanding of the relationship between God and Israel or the church. German *Bund* also essentially denotes a mutual relationship, often a contractual one; it covers both “covenant” and “federation.”

In Hebrew, *berit* covers the ground both of a (one-sided) pledge like God’s pledges to Noah or the pledges to God in which Josiah and Ezra lead their people, and a (two-sided) covenant like that between God and Israel, and a (legal) contract, federation, treaty, or alliance. We here focus on the first two meanings, though in keeping with convention we will refer to both as covenants.

### 1 The Noah Covenant

The first covenant is made by God to Noah, his descendants and thus all future humanity, and all other living creatures (Gen 6:18; 9:8-17). It is a one-sided commitment on God’s part, by which God undertakes never to flood the earth and thus destroy life on earth.

Theologians have sometimes spoken of the original relationship between God and humanity (and/or God and creation) portrayed in Gen 1–2 as having the nature of a covenant. As happens with many other biblical

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<sup>1</sup> First published as “Covenant” in Katharine Doob Sakenfeld (ed.), *The New Interpreter’s Dictionary of the Bible* (Nashville: Abingdon, 2006) 1:767-78.

terms, their use in theological discussion thus comes to be different from their use in scripture itself. This is not so much wrong as something we need to keep our wits about, so that we notice it happening in order to try to avoid reading our categories into scripture. The fact that Genesis does not use the word “covenant” until after the flood is unlikely to mean nothing. It suggests there is no need for the formalizing of the relationship between God and the world as a covenant when the relationship is in its unspoiled state. Creation established a natural relationship between God and humanity. In human relationships there is such a thing as a natural commitment of one person to another, specifically within the family. Parents do not covenant to look after their children; it is built into parenthood. But when the family relationship is extended to someone outside it, specifically when someone marries and brings a new person into the family, a covenant is involved. Covenants establish relationships where there was no relationship before. In the case of God and humanity, the natural relationship that came about by creation came to be devastated by humanity’s being wrong-minded from youth and by God’s destroying the world. A fresh relationship therefore needs to be established. That comes about by God’s making the irrational promise that Noah receives, and by God’s sealing it with a covenant commitment.

The equivalent of a rite to back up the Noah covenant is a sign that God attaches to it. The rainbow that appears in the clouds after the rain, and has the shape of a bow, will henceforth not be a sign that God is acting as a warrior but will draw attention to the fact that the rain did not continue forever but yielded to fair weather. This natural event will become one of supernatural significance. While the rainbow will thus be a sign to reassure humanity that the flood will not recur, Genesis makes more explicit that it will be a sign for God: It will remind God of this undertaking.

The covenant is a “perpetual” one (*berit ‘olam*). As long as human life continues on earth, this covenant commitment will hold. The Noah covenant is thus significant for all humanity throughout the ages. It guarantees the security of the human and animal creation from divine destruction (though it perhaps does not rule out humanity destroying the world).

Such one-sided covenants presuppose that the other party accepts the commitment (as happens when British people covenant their giving), and in that sense they presuppose an element of reciprocity. But no reciprocal commitment on the same scale is required; the only thing the other party has to do is accept the commitment. The point is highlighted by the nature of the sign that guarantees the Noah covenant, the appearing of the rainbow, which is a fact whether anyone sees it or not. Yet at the same time, the Noah covenant illustrates the ambiguity that often holds over whether a covenant is unconditional or conditional. God makes no reference to conditions, and earlier comments suggest that this would be no coincidence. The reason the flood came about was humanity’s rebellion against God. God knows that “the inclination of the human heart is evil from youth” (8:21). It would therefore be no use making a covenant conditional on humanity’s responsiveness to God. On the other hand, the covenant is preceded by statements of God’s expectations of humanity (9:1-7). It is not clear how many

of these statements should be seen as commands, but in some way statements of divine expectations preface God's making the covenant. God is permanently committed to humanity and will not go back on that commitment, but God does have expectations of humanity. This is confirmed by the apparent reference to this "perpetual covenant" in Isa 24:5, which identifies it with "instructions" and "statutes" that humanity has broken, thereby causing a curse to devour the earth (cf. also Amos 1:9).

## 2 The Abraham Covenants

Yahweh first makes a covenant with Abraham to give the land of Canaan to his descendants (15:18-21). Here for the first time the verb for "making" a covenant is *karat*, literally "cut." The preceding ritual seems to link with it. Yahweh had repeated a promise to give Abraham the land and Abraham had asked how he can have some assurance of this. That leads Yahweh to bid him bring various animals and birds; Abraham cuts the animals in half then falls into a deep sleep. A terrifying darkness falls, and Yahweh reiterates the promise. It will not be Abraham himself who enters into possession of the land but his descendants, after four centuries' oppression in a foreign land; it will not be fair to dispossess the Amorites yet, "because the waywardness of the Amorites is not complete yet." Then a smoking fire pot and a flaming torch, representing Yahweh, pass between the dismembered animals. This is the sign that turns the promise into a covenant and explains why one "cuts" a covenant. It is tantamount to an enacted prayer or self-curse, "If I fail to keep this undertaking, may I be cut up as these animals have been" (cf. Jer 34:18-20).

Paul emphasizes (Gal 3:17) that this covenant with Abraham was simply an unconditioned promise. It did not depend on obedience to the law, which would also not be given for another four centuries.

In God's second covenant with Abraham (Gen 17; P) the focus of the covenant lies on the promise of offspring. Like the Noah covenant, this Abraham covenant issues entirely from God's initiative but leaves ambiguous the relationship between "divine commitment and human obligation."<sup>2</sup> Once again, it is God who opens the conversation and does so with imperatives, then goes on to promises (17:1-2). The word for "making" the covenant is here *natan*, the regular Hebrew word for "give," while subsequently (17:7) God speaks of "establishing" it (*qum* hiphil); both underline the extent to which God claims responsibility for making the covenant. The fact that it is "between me and you" does not mean that both parties have equal involvement in establishing it. At no point is Abraham given opportunity to decide whether he wishes to be party to the covenant or to negotiate its terms. He will simply be told something he has to do (though there will be a threat attached to failure to play one's part).

The covenant will apply to Abraham's descendants as well as Abraham himself, and the account emphasizes that like the Noah covenant, it will be a perpetual covenant (Gen 17:7, 13, 19; cf. Ps 105:10; 111:9). But in distinctively far-reaching fashion over against what has preceded, Yahweh

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<sup>2</sup> Cf. David Noel Freedman, "Divine Commitment and Human Obligation," *Interpretation* 18 (1964): 419-31.

describes this as “a covenant, to be God to you and to your offspring after you” (Gen 17:7).

The ambiguity over divine commitment and human obligation is underlined by the subsequent declaration that there is a covenant requirement laid on Abraham, but one of quite a different kind from the requirements stated in Gen 17:1. “This is my covenant, which you shall keep”; it also applies to Abraham’s descendants, and to the rest of his household, including foreign slaves. “You shall circumcise the flesh of your foreskins, and it shall be a sign of the covenant between me and you” (17:10-13). Accepting circumcision is the only requirement for the fulfillment of Yahweh’s very far-reaching promises to Abraham; nothing like the detailed commitment of the Mosaic covenant is required. But it is a real requirement.

The Abraham covenant thus again parallels the Noah covenant in being supported by a sign. This sign, too, is given for God’s sake; when God sees the sign, it reminds God that the divine covenant commitment applies to this person. But it will also function to reassure the recipient of this fact. When awareness of guilt threatened to overwhelm Martin Luther, he would remind himself, “I am baptized”;<sup>3</sup> circumcision could function in a similar way.

Yet this is a very different sign from the rainbow. Like the rainbow sign, it is divinely mandated, but unlike that sign, it is humanly implemented. It can therefore be humanly ignored, though with fatal consequences: anyone who is not circumcised “shall be cut off from his people; he has broken my covenant” (17:14). The absence of the sign thus also speaks to God. The fact that Yahweh tries to kill the uncircumcised Moses but gives up when Zipporah circumcises their son (Exod 4:24-26) fits with this. Neatly but perhaps fortuitously, *be cut off* is the same verb as appears in the expression *cut a covenant*. Yahweh’s willingness to be cut for failing to keep the covenant has to be matched by human willingness to be cut, and in the absence of that, the whole person is cut. Once again “cut” is a metaphor, and the First Testament is not explicit on whether it means the person is to be executed, or excommunicated, or whether it means they lose their place in the register of the people of God.

The fact that humanity has the possibility of not playing its part in the working of the covenant introduces the notion of “breaking” the covenant (*parar* hiphil) rather than “keeping it” – that is, obeying it. “Breaking” the covenant could suggest annulling, making permanently ineffective, as when someone annuls a vow (Num 30:8, 13, where it is the opposite of “establish”). Or it could suggest violating, making ineffective at this point and imperiling but not annulling, as when someone violates a law (15:31). In the broader context of the First Testament, Israel’s recurrent breaking of the covenant does not have the effect of annulling it but rather of unleashing the sanctions that operate within the covenant’s terms, as breaking a law does not make it any less of a law, though widespread breaking of a law can have that effect.

To speak of “breaking” the covenant does draw attention to the relationship between covenant and law or obligation. One way of

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<sup>3</sup> See his *The Large Catechism* on “Holy Baptism.”

understanding covenant is to see it as suggesting “obligation,” imposed on oneself and/or imposed on other people. Insofar as the covenant *is* the requirement to be circumcised, it is an obligation God imposes on Abraham’s offspring, like a law that must not be broken.

If people accept that obligation, when things go badly Israel can urge, “Have regard for the covenant” (Ps 74:20), in the conviction that Yahweh “is mindful of his covenant forever” (Ps 105:8; cf. 111:5). In 1 Chr 16:15-18, David takes up this psalm in urging people to “be mindful of his covenant forever,” which “he sealed with Abraham, his oath to Isaac, which he confirmed to Jacob as a statute, to Israel as a perpetual covenant, saying ‘To you I will give the land of Canaan as your allocation, your possession.’” The next psalm observes how for all Israel’s recurrent rebellions and Yahweh’s consequent chastisements, “for their sake he was mindful of his covenant, and showed compassion according to the abundance of his commitment” (Ps 106:45). If Gen 17 was composed in the exile, when Israel had indeed systematically broken the covenant and it could seem as if Yahweh had therefore annulled it, the Abraham covenant underlines the permanence of Yahweh’s covenant commitment. The fact that the covenant is not explicitly dependent on a response from its beneficiaries, except for the sign of circumcision, would also be significant in this context.

The Abraham covenant is to apply to his offspring. Does it apply to his first son, Ishmael, and his offspring, or only to Isaac and his offspring? Ishmael is circumcised along with the rest of the male members of Abraham’s household (Gen 17:23-27). But before that happens, God reasserts the promise of a son to Abraham and Sarah, making clear that Ishmael does not count as the fulfillment of that promise, and declares the intention to “establish” the covenant with Isaac. Of Ishmael, God says “I will bless him,” in spectacular ways, so that he becomes a great nation, “but my covenant I will establish with Isaac” (17:21). Paul assumes there are two covenants here, though he speaks of them as covenants with Hagar and Sarah. They provide an allegorical picture of the faith in which Paul was brought up and the faith he now holds (Gal 4:21-31). As a slave, Hagar now stands for people in spiritual slavery, and thus, paradoxically, for Mount Sinai and the earthly Jerusalem. Sarah now stands for freedom and promise, and thus for “the Jerusalem above.”

When the Israelites became serfs in Egypt and groaned out, “God was mindful of his covenant with Abraham, Isaac, and Jacob” (Exod 2:24). For “was mindful” (*zakar*), English translations usually have “remember,” but the verb indicates not so much the opposite of forgetting as an indication that God now gives thought to this covenant. One aspect of the covenant promise has been amply fulfilled; Abraham’s descendants via Isaac and Jacob have become a huge company. But the covenant promise also involved their coming into possession of the land of the Canaan. The time for this has now arrived. The covenant is therefore the basis for acting to release Israel so that it can return to the land not as “aliens” but to receive it as a “possession” (cf. 6:2-8).

God adds, “I will take you as my people, and I will be your God” (6:7). The second phrase takes up the expression from Gen 17:7; the first phrase complements it in such a way as to introduce the two-sided “covenant

formula.”<sup>4</sup> God’s words signify an imminent nuancing of the Abraham covenant. The greater mutuality of the covenant will now mean that a commitment of Israel to God complements the commitment of God to Israel. Something of the ambiguity of the Abraham covenant will be resolved. God is still the one who takes the initiative in the words that announce the covenant and in the acts that set it up (see Exod 6:6), but the covenant will integrally involve a more wide-ranging response on the people’s part and a mutual relationship.

### 3 The Sinai Covenants

In Exod 6:6-8, Yahweh had referred to delivering Israel from serfdom, establishing the mutual relationship, and taking them to the land. When they reach Sinai, in Exod 19:1-8 Yahweh points out that the first undertaking has been fulfilled; it is therefore possible to move onto the second. This will involve Israel keeping God’s covenant. The phrase recurs from Gen 17:9-10, and the people could pardonably reckon that Yahweh is simply reasserting the demand for circumcision; this might link with the ease with which they agree, “everything that Yahweh has spoken we will do.” Actually, it will become clear that keeping the covenant will now have much broader implications

At this point, however, Yahweh is more explicit about the special nature of the relationship that will issue from the mutual covenant commitment. Implementing the intention to “take you as my people” will mean Israel becoming Yahweh’s “treasured possession out of all the peoples.” That will spell itself out in Israel’s becoming a priestly kingdom or holy nation. The two adjectives and the two nouns form more-or-less synonymous pairs. Israel is separated from other peoples in such a way as to belong distinctively to Yahweh in the way that the priesthood within a people belongs distinctively to the people’s deity. As such they are a nation over which Yahweh personally reigns. They are not under the rule of some other people, as they were in Egypt. But they are freed from serfdom in Egypt not so that they can simply be free but so that they can be given to the service of Yahweh.

The people’s initial commitment to keeping the covenant (19:8) clears the way for their meeting with Yahweh at Sinai. This is often reckoned to be *the* occasion of the making of a covenant between Yahweh and Israel, but the narrative is sparse in its reference to covenant.

In Exod 20 – 24 the word comes first in the requirement that Israel make no covenant with the inhabitants of Canaan or with their gods (23:32). The second requirement explains the first. A basic obligation of some covenants is a requirement of exclusive loyalty; some political covenants or treaties require a subordinate state to show exclusive loyalty to its imperial overlord (for instance, Israel in its relationship with Assyria) and not to ally with other peoples. Analogously, Israel is expected to show exclusive loyalty to Yahweh and thus not to seek help from other deities. That is implicit in the idea of Israel being Yahweh’s covenant people (e.g., 19:5-6) and explicit in the first of Yahweh’s Ten Words (20:2-3). Exodus 23:32 makes the link with the covenant. Exclusive commitment to Yahweh rules out covenants

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<sup>4</sup> So Rolf Rendtorff, *The Covenant Formula* (Edinburgh: Clark, 1998).

with other peoples because these would involve or lead to acknowledgment of their deities. Either the making of a covenant is a religious act that would require recognition of each others' gods, or close relationship with these other peoples would lead to being attracted by their gods. Israel's looking at these other peoples as sources of help and strength instead of looking to Yahweh is indeed an issue in Israelite history. The Gibeonites' tricking the Israelites into a covenant or treaty (*berit* covers both) implicitly involves them in a contravention of this requirement. Hosea overtly critiques Ephraim for making a *berit* with Assyria (Hos 11:12 - 12:1). And when Judah makes a *berit* with neighbors in order to be able to resist Assyria, Isa 28:15, 18 declares that it has made a covenant with death.

The other references to covenant in the first stage of events at Sinai come in the account of the meeting between representative Israelites and Yahweh in Exod 24. This is often reckoned to be the occasion of covenant-making, but Exodus does not describe it as such, perhaps because Exodus is clear that Yahweh and Israel are already in covenant relationship. What happens at Sinai re-confirms the covenant, specifically in light of the expectations of Israel and the undertakings Yahweh makes to take the people to the land and care for them there, which Yahweh has laid down in Exod 20 - 23. Moses now reads "the covenant book" to the people and they make a commitment to obey Yahweh; the narrative thus repeats the scene in Exod 19:3-8, resolving an ambiguity we noted there. It is now explicit that "keeping the covenant" involves more than circumcision; it involves all that this "covenant book" requires. The people's accepting that commitment is part of what is involved in what we might call the confirming or renewing of the covenant in the form that Yahweh has declared that it will now have, with this new requirement in light of what Yahweh has done for the people in bringing them out of Egypt. (In scholarly parlance the title "The Book of the Covenant" usually means Exod 20:22 - 23:33, or part of it. Exodus 20:1-17 is simply something that Yahweh "says," it is separated from what follows by the further narrative in Exod 20:18-21, and it is often reckoned to be a later composition that has been placed at the beginning of the Sinai story because of its great importance as a summary of Yahweh's expectations. The Ten Words will later be described as the "declaration" written by God and to be put into the covenant chest (see 31:18; 32:15-16); "declaration" is *'edut*; a word translations sometimes also render by "covenant."

A sacramental confirming of the covenant is associated with this reading of the book of the covenant. Sacrifices have already been offered, and Moses has already taken half the blood drained from the sacrificial animals and spattered it on the altar. After the people's declaration of commitment, he spatters the other half on the people themselves, saying "There is the blood of the covenant that Yahweh now seals with you in accordance with all these words" (Exod 24:8). The rite with the blood does not correspond to any regular worship practice, though it does recall the event narrated in Gen 15:7-21 and the idea that one "cuts" a covenant. Both Yahweh (represented by the altar) and the people are spattered with blood, sealing their commitment and bringing home the solemn undertaking that this meeting on Sinai represents. It is as if either will be torn apart for failure to keep their undertaking. The people have "sealed a covenant with

me by sacrifice" (Ps 50:5) and the covenant blood subsequently undergirds Yahweh's promises to Jerusalem (Zech 9:11).

The people's making a gold calf brings about a crisis in the relationship between Yahweh and Israel as Yahweh contemplates annihilating the people. The account in Exod 32 – 33 does not refer to the covenant, but the incident and its aftermath implicitly raise questions about the covenant relationship. They show that Yahweh's permanent covenant with Abraham's descendants does not leave Israel able to get away with despising Yahweh. It is therefore significant that Yahweh now reaffirms a covenant commitment to Israel. Indeed, strictly and significantly this is actually the first time Yahweh makes a covenant commitment at Sinai. Yahweh did not need to do so earlier because Yahweh and Israel are already in covenant relationship. With events in Exod 32 – 33 having implicitly imperiled that, this is the moment when Yahweh declares, "I hereby seal a covenant" (34:10).

Yet again there is some ambiguity over the relationship of divine commitment and human obligation in this covenant. On one hand, in beginning to spell out the implications of the declaration about making a covenant, Yahweh first promises to do great wonders before the people; these will be the wonders that will be involved in giving the people the land, to which Yahweh immediately goes on to refer (34:10-11). But Yahweh precedes that declaration of intent by an exhortation to "observe what I command you today," and then spells that out as involving not making a covenant with the peoples of the land (34:11-16), renewing and expanding the earlier command about covenant-making (23:32). Once again Yahweh thus emphasizes the exclusive aspect to this covenant relationship, then continues by detailing other expectations of the people (34:17-26) in a way that overlaps with the covenant book. This reformulating of the requirements laid down in the covenant book is implicitly an act of grace on Yahweh's part. The original revealing of expectations was an act of grace, insofar as once we know what God wants of us, we can do it; we cannot do that if we are left in the dark. Restating the expectations underlines the point. Yahweh is still reaching out in grace to Israel in being willing to do so.

So Yahweh's covenant-making (34:10) might consist in making the promise about doing wonders, or in laying down those expectations, with the promise as a preamble, or it might involve both of these. The persistence of such ambiguity in references to the covenant is of theological significance. It does not imply that Yahweh simply fails to make things clear. It rather points to the fact that the relationship between divine commitment and human obligation is inherently ambiguous, dynamic, volatile, and changeable. A covenant is not a contract, as the adversary in Job 1 – 2 suggested Job thought his relationship with God was. The "covenant" Leviathan would not make to serve Job (Job 41:4 [40:28]) would be something like a contract, but the covenant that Job had sealed with his eyes (Job 31:1) was an inner commitment that no one could test.

A covenant does involve a mutual commitment, but it is not exactly conditional. In this respect it resembles marriage. This requires that both people commit themselves to the other, but we would not say that one person makes a commitment on condition that the other does. This would



underestimate the element of trust and risk in the relationship. In a contract, the conditions are calculated to minimize the element of risk and make trust less necessary. This is good practice in certain areas of life; there is nothing wrong with contracts. But we would rather marriage were not contractual and calculating in this way. In this respect the relationship between Yahweh and Israel resembles a personal relationship such as marriage more than a contract, alliance, or treaty. The recurrent ambiguity in the texts about the relationship between divine commitment and human obligation is a sign of that.

It is possible that the First Testament itself sees marriage as a covenant,<sup>5</sup> though the texts that may indicate that (Prov 2:17; Ezek 16:8; Mal 2:14) are all allusive. It also refers to a personal covenant between David and Jonathan (1 Sam 18:3; cf. 22:8), a “sacred covenant” (lit., “a covenant of Yahweh”; 1 Sam 20:8), perhaps so designated because it was “a covenant before Yahweh” (1 Sam 23:18). A psalmist laments, “My friend... violated a covenant with me” (Ps 55:13, 20 [14, 21]).

After laying out those expectations in Exod 34, “Yahweh said to Moses: Write these words; in accordance with these words I have sealed a covenant with you and with Israel” (34:27). The reference is presumably to the words in Exod 34:10-26. The narrative goes on to tell us that “he wrote on the tablets the words of the covenant, the ten words” (34:28; they are not called “ten commandments” in scripture). Within the narrow context we would reckon that “he” is Moses. But the chapter began with Yahweh declaring the intention to re-write what was written on the tablets Moses broke, and more likely “he” is Yahweh, who was the subject in the previous verse, “Yahweh said to Moses.” Either way, “the words of the covenant” are here “the ten words” and they complement “the covenant book,” both being integral to the covenant as statements of the obligations that Yahweh imposes and Israel accepts (cf. Deut 4:13; 9:9-15).

Near the end of the time at Sinai, Yahweh restates the point, in Lev 26 (to put it another way, Lev 26 is the Holiness Code’s equivalent to Exod 34). Here the relationship between Israel’s obedience and Yahweh’s covenant-keeping is less equivocal: “If you follow my statutes... I will give you your rains in their season... and I will establish my covenant with you.... I will walk among you, and will be your God, and you shall be my people” (Lev 26:3-12). The promise amounts to a renewed undertaking to make the covenant work, here in the context of the people’s coming arrival in the land (cf. Deut 8:18).

Leviticus 26:15 again parallels Gen 17 in allowing for Israel’s “breaking” the covenant, to which severe sanctions are attached. Persisting in disobedience will mean Yahweh “will bring the sword against you, exacting redress for the covenant” (Lev 26:25). Yahweh itemizes this redress in horrific fashion, but then declares that if the people turn back to Yahweh, “then I will be mindful of my covenant with Jacob; I will be mindful also of my covenant with Isaac and also of my covenant with Abraham” (26:42). Being mindful of the covenant and thus taking action on the people’s behalf is possible in the context of their wrongdoing as well as their undeserved oppression (Exod 2:24). No more than at Sinai will Yahweh

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<sup>5</sup> So Gordon P. Hugenberger, *Marriage as a Covenant* (VTSup 52; Leiden/New York: Brill, 1994).

annihilate them and thus “break my covenant with them; for I am Yahweh their God; but I will be mindful in their favor of the covenant with their ancestors whom I brought out of the land of Egypt” (Lev 26:44-45).

The ambiguity of the relationship between divine commitment and human obligation yet again reasserts itself. The warnings presuppose that the people have totally failed to keep their covenant obligations, and this would give Yahweh quite enough reason to terminate the covenant. The mere fact that the covenant was “perpetual” might not guarantee that it stays in force no matter what Israel does. Many things that God says will be permanent, such as the temple, the priesthood, and the Davidic monarchy, seem not to be permanent. That declaration only guarantees that Yahweh is not fickle and will not have a random change of mind. It does not stop Yahweh terminating them in light of people’s intransigence. But Yahweh will not “break” the covenant (Yahweh uses the verb that describes Israel’s failure) let alone terminate it; perhaps “break” and “annul” end up having the same meaning in this context.

Even in this connection Yahweh will not “put out of mind the covenant with your ancestors that he swore to them” (Deut 4:31). Admittedly, at the beginning of Judges Yahweh declares, “I said, ‘I will never break my covenant with you. For your part, do not seal a covenant with the inhabitants of the land, tear down their altars.’ But you have not obeyed my command” (Judg 2:1-2; cf. v. 20). Yahweh will therefore not drive these peoples out before Israel. Is Yahweh therefore breaking the covenant, on the basis of the fact that Israel has done so? Or does a responsive action such as that not count as breaking the covenant? On the other hand, even when Ephraim has long been unfaithful and has been chastised, “Yahweh was gracious and compassionate to them; he turned toward them, because of his covenant with Abraham, Isaac, and Jacob, and was not willing to destroy them; and he has not thrown them out of his presence until now” (2 Kings 13:23). “Until now” apparently implies that even the fall of Samaria and the exile of its people did not constitute such destruction or banishment. In Jer 14:21 the prophet thus feels free to urge, “Do not break your covenant with us,” despite our wickedness.

## 4 The Moab Covenant

A generation on from Sinai, on the edge of the land, Yahweh commands Moses to seal a covenant with the Israelites to supplement the covenant at Horeb, by means of which the new generation will “enter into the covenant of Yahweh your God and into his oath, which Yahweh your God is making with you today in order that he may establish you today as his people, and that he may be your God” (Deut 29:1, 12-13 [28:69; 29:12-13]). The terms of the covenant parallel those at Sinai, though they are adapted to aspects of life in the land in a way that reflects needs that arise in later contexts (for instance, the people wanting a king and the problem of false prophecy). This covenant-making also has the effect of putting the obligation of the covenant on people who were not at Sinai. For the readers, that next generation stands for each succeeding Israelite generation, and thus for the readers themselves. “Not with you alone am I making this covenant and this oath but with whoever is standing here with us today

before Yahweh our God and with whoever is not here with us today" (29:14-15 [13-14]).

Deuteronomy talks more about covenant than any other book in the Bible. Indeed, although the actual occurrences of the word come chiefly in chapters 4 – 11 and 29 – 31, Deuteronomy as a whole can be seen as a covenant document, a book structured to reflect and expound Israel's covenant relationship with Yahweh. Thus, if one-sided covenants are more like a pledge or a *diatheke*, this covenant is more like a contract, more of a *suntheke* or *Bund* (though the Greek translations still usually use *diatheke*). Israel can be (and is) sued for failing to keep its side of the contract. Its structure parallels that of a treaty between an imperial power and an underling such as Israel. It has been argued that it more closely resembles Hittite treaties from the second millennium than Assyrian treaties from the first millennium and thus that it more likely reflects the work of Moses than the work of the seventh-century theologians whom the scholarly world has more often reckoned to be the authors of Deuteronomy. But like most aspects of the history of covenant in Israel, this question is controverted. Either way, most Israelites would presumably be unaware of the treaty background of the work, but the theologians who drafted the text perhaps found that this political arrangement helped them articulate the dynamics of Yahweh's relationship with Israel, though we should be wary of exaggerating the importance of this factor in the development of covenant thinking.<sup>6</sup>

A political treaty could review the past relationship between the superpower and the underling, lay down the basic requirement of loyalty to the superpower, itemize specific requirements, describe the benefits and sanctions attached to compliance and non-compliance, and provide for the solemnizing and regular reading of the treaty. Deuteronomy is much longer than a treaty, but this comparison helps one see aspects of its dynamic and the way it could have communicated at least with Israel's leadership.

First, Deut 1 – 3 reviews the relationship between Yahweh and Israel since Sinai, as background to the reaffirmation of the covenant on the edge of the land, noting both the way Yahweh has supported Israel and the way Israel has been inclined to rebellion. Each of these is also background to the requirements that will follow.

Deuteronomy 4 – 11 lays down the fundamental requirement that Israel should respond to what Yahweh has done by showing unqualified commitment to Yahweh and having nothing to do with other deities. In a literal sense Yahweh made the covenant with the parents of the people about to enter the land, but Moses declares that Yahweh did not (merely) seal it with them but with this present generation (5:2-3). NRSV translates "ancestors" rather than "parents," which brings out the fact that Deuteronomy sees every later generation of Israel as faced with the same expectations that bind the Moab generation. In particular, each generation that hears Deuteronomy read is bound by the basic expectations laid down in the Ten Words that follow in Deut 5:6-21 (cf. also 4:23). Exclusive loyalty to Yahweh involves making no covenant with another deity (7:2). It is the

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<sup>6</sup> See Ernest W. Nicholson, *God and His People* (Oxford/New York: OUP, 1986); also A. D. H. Mayes and R. B. Salters (eds.), *Covenant as Context: Essays in Honour of E. W. Nicholson* (Oxford/New York: OUP, 2003).

converse of the fact that Yahweh keeps covenant with those who keep their side of this commitment (7:9, 12).

The itemizing of specific requirements in Deut 12 – 26 is much more extensive than the equivalent section of a treaty; in a way Deuteronomy combines the form of a law code with that of a treaty. This section contains one telling reference to covenant, in the course of another comment on serving other gods than Yahweh. A person who does that “transgresses his covenant” (17:2-3; the verb is used of Achan, Josh 7:11, 15). It is another way of saying that this action involves “breaking” the covenant.

Deuteronomy 27 – 31 provides for the memorializing of the words of the law when the people enter the land and for reading them out on subsequent occasions, describes the blessings and curses attached to obedience and disobedience, and provides for the solemnizing of the covenant. It has been reckoned that the festival of Sukkot in the Fall was also an annual covenant renewal festival, though the First Testament does not directly suggest this.

Deuteronomy warns that Yahweh will implement “all the curses of the covenant written in this book of teaching” when people have “abandoned Yahweh’s covenant” by turning to other gods (29:21, 25-26; cf. 31:16, 20). Joshua will reaffirm this at the end of his life; he also “sealed a covenant with the people” to confirm their commitment to exclusive service of Yahweh (Josh 23:16; 24:25).

## 5 The Covenant Broken.

Psalms 25:10, 14 promises that Yahweh is faithful to people who “keep his covenant and his declarations” and that “his counsel is with those who revere him, and his covenant, in making them acknowledge him” (cf. 103:17-18), and Israel needs to be able to claim, “We have not... been false to your covenant” (44:17 [8]). But the references to covenant in Josh 9 and Judg 2 show how it did not take Israel long to break the covenant. Solomon does the same in making marriage alliances with foreign peoples, and he pays a severe penalty (1 Kings 11:11). Elijah’s critique of Ephraim is that they have “abandoned” the covenant, which sounds more far-reaching (19:10, 14). Hosea likewise critiques Ephraim for transgressing the covenant (Hos 8:1). Ephraim’s “despising” and “transgressing” the covenant, failing to keep it in mind, is the basis for the fall of Samaria and Ephraim’s exile (2 Kings 17:15, 35, 38; 18:12). “They did not keep God’s covenant, but refused to walk by his teaching” (Ps 78:10).

The same is true of Judah, though the narratives do not express the matter thus. Indeed, they emphasize the way Asa and his people, Hezekiah, and especially Josiah and his people sealed covenants that expressed an exclusive commitment to Yahweh, going back on the stance of the previous generation (2 Kings 23:2-3; 2 Chron 15:12; 29:10; 34:30-32). The basis for Josiah’s act is a “covenant book,” earlier described as a “teaching book,” a scroll found in the course of remodeling in the temple (2 Kings 22). The expression “covenant book” recalls Exod 24:7; it occurs only in these two connections. But the usual critical view has been that Josiah’s actions suggest Deuteronomy (2 Kings 23:21 relates how Josiah also celebrated the

Passover in accordance with the covenant book, and Exod 20 - 24 does not mention Passover).

Jeremiah does challenge Judah about its attitude to the covenant (Jer 11:1-13) and prospectively imagines other nations explaining Jerusalem's destruction by Judah's "abandoning" the covenant - again, a more drastic act than transgressing or breaking it? (22:8-9). The people have no right to "proclaim my statutes, or take my covenant on your lips" (Ps 50:16). "They were not true to his covenant" (78:37). Thus on the eve of Jerusalem's fall Yahweh declares, "I will act toward you as you have acted, you who have despised the oath, breaking the covenant" (Ezek 16:59; cf. 44:7).

Apparently Yahweh does intend to break the covenant, though this need not mean annulling it, any more than it does when Israel breaks the covenant. And the fact that Yahweh immediately goes on to declare the intention then to bear the covenant in mind (16:60) suggests that this is not so. Yet Yahweh's subsequent declaration of intent to establish with Israel a perpetual covenant (another one?) (16:60) suggests that Yahweh's act in breaking the covenant is a very serious one.

The enigmatic Zech 11:10 perhaps also refers retrospectively to the fall of Ephraim and Judah, occasions when Yahweh broke "the covenant with all the peoples." The First Testament does not elsewhere refer to a "covenant with all the peoples." A covenant that benefits the nations is hardly relevant in the context; this covenant is more likely one that makes the nations Yahweh's servants in protecting and blessing Israel (compare the covenant "with" the animals in Hos 2:18 [20]; also Job 5:23). By breaking that covenant, Yahweh freed the nations to devastate Ephraim and Judah. Ezekiel 17:11-21 applies covenant language to the nations and Judah in a rather different way. Nebuchadnezzar has sealed a covenant (that is, an agreement or treaty) with Zedekiah that involved Judah behaving itself, but Zedekiah has rebelled against Nebuchadnezzar. "Can he break the covenant and escape?" The answer is surely "Yes," in some circumstances. But Zedekiah has despised and broken "my covenant" (Ezek 17:11-21). Yahweh is in covenant with Nebuchadnezzar as Yahweh's agent in ruling Judah and controlling its destiny.

## 6 The New Covenant

The other side of the calamity, Yahweh declares the intention to make a new covenant with both Judah and Ephraim (Jer 31:31-34; cf. 32:40; 33:23-26). It will be new because the thing Yahweh intends to do is different; it is new as the Sinai covenant was new over against the Abraham covenant. The Sinai covenant moved from a promise about Abraham becoming a great people to the setting up of a relationship between this people and God, and a focus on giving this people the land. In addition it added a whole corpus (indeed, several corpora) of requirements to the relationship, though much of this material simply spelled out the basic expectation that the people would indeed be Yahweh's people, and exclusively so; the heart of the people's covenant-breaking thus lay in their serving of other gods.

Yahweh's intention now is to write this requirement on the people's wills. The nature of the Sinai and Moab covenants was to have Yahweh's requirements written on a scroll. The challenge to acknowledge Yahweh

was therefore one that Israelites had to issue to one another. The work Yahweh will now do in transforming their attitudes will make this unnecessary, and the covenant aim that "I will be their God and they shall be my people" will be fulfilled. The last phrase in Jeremiah's promise is, "for I will forgive their iniquity, and remember their sin no more." It may indicate how Yahweh will do this writing onto the people's wills. The extraordinary nature of Yahweh's grace shown in not casting them off but rather being prepared to forgive and forget and restore will be what finally gets to them and changes their attitude.

Ezekiel makes the same point more sardonically. Although Judah has despised the oath and broken the covenant, Yahweh will bear the covenant in mind and in fact establish a perpetual covenant with them. That will lead to their feeling shame at their past behavior "when I make expiation for you for all that you have done" (Ezek 16:59-63). "I will bring you into the covenant bond" (Ezek 20:37). Yahweh adds, "I will seal for them a covenant of *shalom*," a covenant that guarantees security and blessing (Ezek 34:25-31; cf. Hos 2:18 [20]), and it "will be a perpetual covenant with them" (Ezek 37:26; cf. Isa 54:10; 61:8). Israel will thus "come and join themselves to Yahweh by a perpetual covenant that will never be put out of mind" (Jer 50:5). Perhaps the idea is that the people will make this covenant and never put it out of mind, but it would fit the other occurrences of such language if the verse again refers to a perpetual covenant that Yahweh will make and never put out of mind.

One aspect of Yahweh's covenant commitment will be that Yahweh will always be speaking through the kind of prophet who speaks in Isa 59:21. Isaiah 55:3 promises "a perpetual covenant, my steadfast commitments to David"; it takes up the charge at the end of Ps 89 that Yahweh has abandoned the covenant with David and offers a distinctive response. Yahweh will be true to the covenant with David by extending its application to the people as a whole. Israel can thus be "a covenant to the people" (Isa 42:6; 49:8). This expression recalls the idea that Abraham can be a blessing. Israel can be an embodiment for the world of what it means to be in covenant relationship with Yahweh, and thus be a means of light coming to the nations.

The Second Temple period saw Israel indeed keeping the covenant in a way they had not before. Under Jeshua and Zerubbabel the people establish the proper round of worship in the temple, with praise and joy, in accordance with the Torah (Ezra 1 - 6). Ezra comes to see that the people know the Torah, and the community join him in an act of repentance for failing to live by the Torah in their relationship with other peoples, and make a covenant commitment to Yahweh (Ezra 7 - 10). They join Nehemiah in restoring to people their fields, vineyards, orchards, and houses, and in stopping lending at interest to each other when they are in need, in accordance with the Torah (Neh 5). They ask Ezra to teach them Torah and they listen with joy; they discover its regulations about Sukkot and implement them; Ezra emphasizes that Yahweh is a God who keeps covenant; and the people commit themselves to the offerings that are needed to maintain the temple worship (see Neh 8 - 10). Nehemiah sees that the sabbath is properly observed and the Torah's regulations about marriage with other peoples accepted (Neh 13).

The basic requirements of the Torah as these are expressed in the Decalogue are thus implemented in the community's life. They have given up worship of other gods and worship by means of images, the key first two requirements. In accordance with the third command, they safeguard against wrongful use of Yahweh's name by giving up uttering the name at all, and in accordance with the fourth, they come to be committed to observing the sabbath, which itself can be seen as a perpetual covenant for Israel (Exod 31:16; Lev 24:8). Thus by the end of First Testament times these requirements can be taken for granted; the New Testament does not accuse the Jewish people of worshiping other deities, or making images, or profaning Yahweh's name, or breaking the sabbath. The story in Ezra and Nehemiah and books such as Malachi show that the community remains capable of great waywardness, but the Second Temple community is a religiously very different one from that which the eighth- and seventh-century prophets attacked. Conversely, by New Testament times the Jewish people is in occupation of something like the old bounds of the land, the area that belonged both to Judah and to Ephraim.

Yahweh has thus kept the promise to implement a new covenant. Indeed, the people *are* the "holy covenant" (Dan 11:28, 30), a strong way of defining them as the covenant people. Further, the spread of appreciation of Jewish religion through the diaspora means they have become a covenant to the people of the world. Yet they again come under the domination of a foreign empire and once again need God to "remember his holy covenant" (Luke 1:72). And most of them fail to recognize the Messiah when he comes. The situation with regard to the promise of a new covenant is thus similar to that with other promises, such as those of the physical restoration of city, community and land. There is room for more fulfillment, but all receive some fulfillment in the shorter term.

## 7 The Jesus Covenant

The New Testament shows rather little explicit interest in covenant compared with some other Second Temple writings such as Ecclesiasticus, which emphasizes the successive covenants in its survey of biblical history as a celebration of "famous men" (Sir 44 - 45), or the Qumran writings. But early on, it declares that Jesus came because God did indeed "remember his holy covenant," and Jesus looks at his death in light of the First Testament talk of covenant: "My blood of the covenant... is poured out for many" (Mark 14:24). The covenant promise was not being fulfilled, and Jesus came to see that it was, but this involved his willingness to die. The references to "pouring out" and to "many" suggest a link with Isa 53 and thus ultimately with the "covenant for the people" in Isa 42:6; 49:8. The Jesus covenant will benefit the world more spectacularly than the previous versions of the covenant did. The idea of the "covenant blood" (Exod 24:8; Zech 9:11) is reworked in Jesus' words. In the First Testament, being unfaithful to the covenant could issue in the covenant-maker's blood being shed. Here, blood is to be shed in order that the covenant may be operative.

In the parallel passage, Matt 26:28, Jesus adds that the pouring out of his blood brings about "the forgiveness of sins." He thus takes up Jeremiah's talk of a new covenant (Jer 31:31-34). This is explicit in a

different way in the Lukan version, Luke 22:20, where Jesus speaks of “the new covenant in my blood” (cf. 1 Cor 11:25). Jesus is ignoring the question whether God has already fulfilled the new covenant promise in the life of Second Temple Israel and using the image of a new covenant to interpret the significance of his death. His way of speaking thus corresponds to the general dynamic of the New Testament use of the First Testament. What the New Testament calls fulfillment does not refer to the first time promises have been fulfilled. The New Testament characteristically uses First Testament passages to throw light on the new act of God to which it witnesses, but this does not mean that the First Testament promises referred exclusively or primarily or directly to the Christ event.

Matthew’s formulation indicates the way this covenant is new. Jesus’ death is of key significance for the forgiveness of the many, both Israel (cf. Luke 1:77) and the world. It will still be true that “to them belong... the covenants” (Rom 9:4), but people who are now “strangers to the covenants of promise” (Eph 2:12) will thus cease to be strangers. In keeping with this, Peter reminds Jews in Jerusalem that they are “the descendants... of the covenant that God established with your ancestors, saying to Abraham, ‘And in your offspring all the families of the earth shall be blessed.’” This comes about through Jesus, who calls them to turn from their wicked ways (Acts 3:25-26). That is the way they will find forgiveness.

Apostles such as Paul are thus “ministers of a new covenant,” whose novelty lies in its being “not of letter but of spirit” (2 Cor 3:6). This antithesis corresponds to but restates the one in Jer 31:31-34. The Jewish people of Paul’s day have the written word, once “engraved in letters on stones,” but their rejection of the gospel shows that this is all they have. When they read the old covenant, it is as if there is a veil over their minds, which is set aside only in Christ (2 Cor 3:14). Otherwise, they do not “get it.” Paul thus sees the new covenant as a present reality.

At the same time, Paul recognizes that the process of transformation is incomplete. As was the case in First Testament times, God’s making this new covenant and writing the teaching in people’s minds is not incompatible with their remaining sinful. Among the New Testament churches in which the new covenant is implemented, there is (for instance) fighting, deception, and sexual immorality. If we wonder how this is compatible with God’s having kept those promises, we might infer that it is because human beings still have the freewill to resist God’s purpose. While this is true, it is not a satisfactory explanation, because the point about those promises was that God would do something that meant people exercised their freewill in a more satisfactory way. A better explanation is to reckon that the general sense in which God’s promise is fulfilled is not undone by individual examples of wrongdoing.

Further, Paul cannot believe that God will never take away the veil over the Jewish people’s minds. This, too, points towards a sense in which the implementation of Jeremiah’s new covenant still lies in the future. It will come at the time when God’s ultimate purpose is fulfilled and all Israel is saved; “as it is written... ‘And this is my covenant with them, when I take away their sins’” (Rom 11:25-27).

Hebrews develops the notion of the new covenant most systematically (see esp. Heb 8 – 9). Like Jesus, it takes up the expression “covenant blood,”



referring specifically to the Exod 24 narrative (Heb 9:19-20) and takes it in a new direction in order to expound the significance of Jesus' death. Whereas in the First Testament the sacrifice involved in confirming the covenant at Sinai was separate from the regular sacrificial system, Hebrews brings these two together; it can then see the covenant sacrifice as a cleansing sacrifice (Heb 9:21-22). But the fact that Jer 31:34 speaks of forgiveness as still future shows that these cleansing sacrifices did not really "work." So "Jesus is the mediator of a new covenant" by virtue of the fact that "a death has occurred to redeem them from the transgressions under the first covenant" (Heb 9:15). The old covenant with its shortcomings is thus obsolete and about to disappear (Heb 8:7-8, 13). The single definitive sacrifice that Christ offered makes the regular sacrifices now unnecessary (cf. Heb 10:14-18).

This puts people who believe in Jesus in a privileged position, though also in a solemn one, because the superiority of the new covenant is matched by a greater enormity involved when someone has "profaned the covenant blood by which they were sanctified" (Heb 10:29). But Hebrews has better hopes of its readers and prays that "by the blood of the eternal covenant" God may take them to complete maturity (Heb 13:20-21).

The Jesus covenant is thus a reworking of the First Testament covenant, analogous to the several reworkings that have preceded it. It is the means whereby the gentile world is drawn into the covenant relationship that goes back to Abraham. (There is not one covenant for Jews and one for gentiles.)

## 8 Covenants between God and Individuals or Groups.

In the First Testament, Yahweh also makes a covenant commitment to the clan of Levi in connection with the priesthood, and to the household of David in connection with the monarchy. Malachi 2:1-9 speaks most systematically about a covenant with Levi, a "covenant of life and *shalom*." Levi himself made an appropriate response to that covenant, but his descendants have "corrupted" it. They may have done that by colluding with the unworthy offerings condemned in Mal 1, but in addition the priests who have married foreign women "have defiled the priesthood, the covenant of the priests and the Levites" (Neh 13:29). In this context the covenant may be the priesthood's covenant commitment to Yahweh rather than Yahweh's to them. Similarly, Mal 2:10-16 goes on to speak of Judah "profaning the covenant of our ancestors" because it has "married the daughter of a foreign god." You have "broken faith" with "the wife of your youth" although she is "your partner, your wife by covenant." The juxtaposition of these passages suggests another reference to the involvement of Levi as well as the other clans in marriages with people committed to other gods. Apparently these marriages first involved divorce from an Israelite wife, "your wife by covenant." This might imply that the first marriage was understood as a covenant or simply that the first wife was an Israelite, someone within the covenant between the people and Yahweh, whereas the new wife was outside that covenant. It is then another way of noting how such a marriage "profaned the covenant of our ancestors."

In the context of the imminent destruction of the temple, Yahweh had declared that it would be no more possible to break the covenant with the

Levites as people ministering to Yahweh than to break the covenant of day and night (Jer 33:19-22). But this commitment might presuppose the assumption that they stay faithful to their own covenant commitment

Yahweh gives a specific covenant to Aaron's son Phinehas, because of his passionate zeal for Yahweh in killing an Israelite who took a Midianite wife (Num 25:10-13). This, too, is a "covenant of *shalom*," and "a covenant of priesthood," perhaps a promise that his line will always have a place in the Aaronic priesthood. The "prince of the covenant" (Dan 11:22) is likely the high priest.

In his "last words" David says that God "laid down for me a perpetual covenant, ordered in every respect and secured" (2 Sam 23:5). The narrative has not recorded this, though one could see Yahweh's promise in 2 Sam 7 as covenant-like. More emphatically, Ps 89 observes to Yahweh, "You said, 'I have sealed a covenant for my chosen one, I have sworn to David my servant: "I will establish your offspring forever, and build up your throne for all generations.... Forever I will keep my commitment to him, and my covenant will be true for him.... I will not profane my covenant, or change what has come forth from my lips"'" (Ps 89:3-4, 28, 34 [4-5, 29, 35]). The promissory nature of the David covenant makes it comparable with the Abraham covenant.

The Judean king Abijah reminded Ephraim that Yahweh gave the kingship forever to David and his sons "by a salt covenant" (2 Chr 13:5). We do not know the background of this expression (for which see also Num 18:19, and Lev 2:13), but it seems to underline the notion of permanency. Second Chronicles 21:7 notes that despite its wrongdoing "Yahweh was not willing to destroy the household of David, for the sake of the covenant that he had sealed for David." The same undertaking that made it impossible to break the Levi covenant would make it impossible to break the David covenant so that his heirs would not sit on the throne (Jer 33:19-26).

Actually Yahweh has abandoned the Davidic king: "You have renounced your servant's covenant" (Ps 89:39 [40]). But then, according to another psalm, what Yahweh had actually said was, "If your sons keep my covenant and my decrees that I shall teach them, their sons also, forevermore, will sit on your throne" (Ps 132:12).

## 9 Covenant as a General Term for Relationships between God and People in the Bible

In the history of theology, the significance of covenant broadened so that it came to be used as a term for the relationship between God and Israel even where the word *berit* does not occur in the First Testament. Indeed, the original relationship between God and humanity in the Garden of Eden has been seen as covenantal. Specifically, "federal theology" sees this as the "covenant of works" that was the original basis for the relationship between God and humanity. But not only does Genesis fail to refer to that original relationship as covenantal; it does not imply that the relationship was based on works but rather on the same interrelationship of God's grace and human response as obtains when it does talk in terms of covenant. (Hosea 6:7 does refer to Israel transgressing the covenant "like '*adam*,'" which could imply that Adam transgressed a covenant, but translations

assume the text either refers to humanity in general or to the place Adam on the Jordan, though we do not know what event this then refers to.<sup>7</sup>

Thus where the First Testament is talking about a relationship with God that “has the character of a relationship of grace, that is to say, it is founded on a primal act in history, maintained on definite conditions and protected by a powerful divine Guardian,” it can be reckoned to be talking about a covenant relationship whether or not it uses the word *berit*.<sup>8</sup> On this basis covenant can be seen as providing the framework for First Testament theology. Likewise one could term the description of the mutual relationship between Yahweh and Israel in passages such as Jer 7:23; 24:7; 30:22 as “the covenant formula” even though there is no explicit reference to the covenant in the context.<sup>9</sup> Thus different theologians can both affirm and deny that the idea of covenant dominates the First Testament, and both can be right, depending on whether they are talking about covenant in the broader or narrower sense. We have noted that the New Testament, too, rarely refers to covenants, but in the broader sense it also thinks covenantally (cf. its very title *he kaine diatheke*, “the new covenant”; the translation “New Testament” obscures the point).

The prophets, too, refer to “covenant” rather infrequently; it is a matter of guesswork why this is so. But they, too, in the broader sense think in covenant terms, and this may lie behind the way they sometimes imply that they are issuing a formal charge against the people, accusing them of covenant-breaking, and warning that covenant sanctions are to be imposed on them. Yahweh thus has a *rib*, an indictment, against the people (Hos 4:1; 12:2; Mic 6:2). The form of speech would correspond to the way an imperial power brought a charge of disloyalty against one of its underlings and threatened it with punitive action. If there is a connection with covenant thinking, then this prophetic lawsuit might also be described as a covenant lawsuit.

We have noted the key theological issue that covenant raises, the relationship between divine commitment and human obligation. Covenant can put the stress on divine initiative and commitment, though it will then regard human obedience as absolutely required. Or it can put the stress on human commitment to obey an obligation set forth by God, though it will assume that this commitment is offered in the context of the framework of divine grace. Or it can hold these two in balance in the way marriage does; Yahweh initiates the covenant but it becomes properly operative only when humanity responds to “Yahweh’s covenant.” The dynamic tension between these ways of looking at the matter means God can never be taken for granted but can always be appealed to.

To put it another way, covenant reframes the debate about election and freewill, about which one might say the following:

- God chose certain individuals such as Moses and Paul, in order to use them. This election does not apply to every Israelite or every believer in Christ. It relates to individuals God intends to use in particular ways.

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<sup>7</sup> Isaiah 24:5 and Amos 1:9 might be taken to refer to a creation covenant; I have commented on these passages in section 1 above.

<sup>8</sup> Walther Eichrodt, *Theology of the Old Testament* (Philadelphia: Westminster/London: SCM, 1961) 1:36-37.

<sup>9</sup> So Rendtorff, *The Covenant Formula*.

- God chose the people of Israel and the church, in order to use them. This is the election of a people, not of individuals.
- Nothing about these individuals or about Israel or about the church makes them warrant or deserve election.
- The stories of Moses or Jeremiah or Paul show that when God chooses someone, they do not have much option about responding.
- While being chosen may convey the privilege of a relationship with God and eternal life, God's object in the choosing is not to convey privileges but to use the chosen ones, as when we choose a pan to cook with.
- Election is designed to be inclusive not exclusive. God chooses Israel and the church so as to reach other individuals and other groups.

## 10 Covenant as a Term for the Basis of Community Life

In the history of the United States, the significance of covenant has broadened horizontally as well as vertically – that is, covenant has often been a key image for human relations. Etymologically, a covenant is something people “come together” to agree, and “agreement” is the first dictionary definition of “covenant.” Such an idea of covenant was very influential in the development of American democracy. It has a background in the federal or covenant theology of the sixteenth century. This received political expression in (for instance) the Church of Scotland's “National Covenant” of 1639, one of whose preliminary texts was 2 Kings 11:17: “Jehoiada sealed a covenant between the Lord and the king and the people, that they should be the Lord's people; between the king also and the people.” This is a rare instance of a biblical passage where people are making a covenant with one another as well as with God. Another example of horizontal covenanting is King Zedekiah's covenant with the community that people should set free indentured servants whom they have held onto after the end of their six-year period of work, though they soon renege on this commitment and re-enslave these servants (Jer 34:8-11). (This may presuppose that the people who were freed had no resources, which is what would have driven them into servitude, and if people will not relate to them as free people and help them reestablish themselves as free citizens, then they have no alternative but to return to servitude.) That means they have both transgressed the original covenant that Yahweh laid down (which limited servitude to six years) and also not kept the terms of the covenant they just now made with each other before Yahweh (Jer 34:13, 15, 18).

In 1620, the settlers at New Plymouth formulated the “Mayflower Compact” by which they entered into covenant with one another for their “better ordering and preservation,” under God. The nation is then a group of people who live in covenant with one another, accepting responsibility for one another under God. A little later in the seventeenth century there was also developing in Europe a secular form of covenant-based political thinking in the work of Thomas Hobbes and John Locke, and this also subsequently came to influence American thinking and made it possible to formulate constitutions that were covenantal without being religious.

Inspired by God's own covenantal self-giving, the church makes a commitment to mutual solidarity and to embodying this in a covenantal life, though it also sees the world as “intended by God to be a community that

covenants, that distributes its produce equally, that values all its members, and that brings the strong and the weak together in common work and common joy.”<sup>10</sup> Demythologized, covenant is “the bonding of decentralized social groups in a larger society of equals committed to cooperation without authoritarian leadership and a way of symbolizing the locus of sovereignty in such a society of equals.”<sup>11</sup>

The notion of covenant emphasizes the relational and communal aspect to life, expressed in human relationships and in humanity’s relationship with the rest of creation. We do not live to ourselves but in mutual commitment. It has been argued that there is a close connection between covenant and *khesed*, “steadfast love” or “commitment.” Yahweh is one “keeping covenant and commitment for your servants” (1 Kings 8:23; cf. Deut 7:9; 2 Chr 6:14; Neh 1:5; 9:32; Ps 89:28 [29]; Dan 9:4), and *khesed* is the kind of commitment that people show one another when they are in covenant. One could extend this to other classic Hebrew expressions for community values such as those listed as characteristics of Yahweh in connection with the remaking of the covenant in Exod 34:6-7. On the basis of the conviction that our human action in covenant is an imitation of God’s action in covenant, one could reckon that these are the qualities of human covenantal living. But all this develops First Testament ways of thinking rather than directly following it.

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<sup>10</sup> Walter Brueggemann, *A Social Reading of the Old Testament* (Minneapolis: Fortress, 1994), p. 50.

<sup>11</sup> Norman K. Gottwald, *The Tribes of Yahweh* (Maryknoll, NY: Orbis, 1979/London: SCM, 1980), p. 692.